BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application o	of)
RAYMOND MCKAY, dba ALL AROUND HAULING	DOCKET NO. 2009-0061
For a Motor Carrier Certificate or Permit.) c))

ORDER REINSTATING THE DECISION AND ORDER FILED ON MAY 22, 2009

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ORDER REINSTATING THE DECISION AND ORDER FILED ON MAY 22, 2009

By this Order, the commission vacates the Order filed on October 13, 2009, and reinstates the Decision and Order filed on May 22, 2009, in the matter of RAYMOND MCKAY, dba ALL AROUND HAULING ("Petitioner").

I.

Background

On March 16, 2009, Petitioner filed an application requesting a certificate of public convenience and necessity to operate as a common carrier of property by motor vehicle over irregular routes on the island of Hawaii in the dump truck classification. By Decision and Order filed on May 22, 2009, the commission granted Petitioner's request, upon condition that Petitioner file certain required documents with the commission. By Order filed on October 13, 2009, the commission vacated the Decision and Order filed on May 22, 2009, for Petitioner's failure to comply with the commission's requirements set forth in the Decision and Order.

On October 20, 2009, Petitioner filed a timely motion for reconsideration of the Order filed on October 13, 2009, stating that due to a lack of some communication on his part, he missed the due date to file the documentation required by our Decision and Order. On October 20, 2009, October 22, 2009, and November 6, 2009, Petitioner filed the final documents requested by the Decision and Order.

II.

Findings and Conclusions

The commission finds that Petitioner has fully complied, although belatedly, with the requirements set forth in the Decision and Order filed on May 22, 2009, and, thus, finds good cause in this particular instance to reconsider and set aside the Order filed on October 13, 2009.

III.

<u>Orders</u>

THE COMMISSION ORDERS:

- 1. The Order filed on October 13, 2009, is vacated.
- 2. The Decision and Order filed on May 22, 2009, is reinstated.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2009-0061.cp

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
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